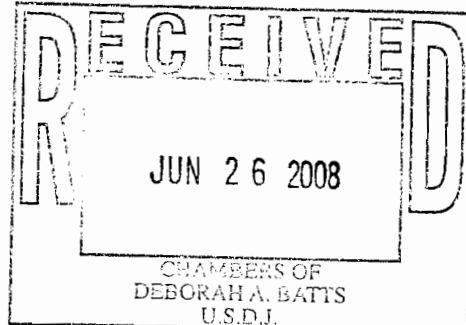


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June 25, 2008

By Hand

Hon. Deborah A. Batts  
U.S. District Court, S.D.N.Y.  
500 Pearl Street, Room 2510  
New York, NY 10007

Re: In re: Calpine Corporation  
Mark Daley v. Calpine Corporation  
Case No. 1:08-cv-03880-(DAB)

Dear Judge Batts:

This firm represents Appellant Mark Daley, and this is a request by both parties for an extension of the briefing schedule with respect to Appellee's brief and Appellant's reply brief.

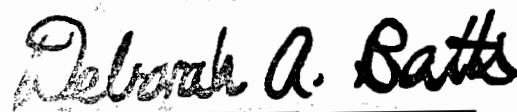
1. The original date for Appellee's brief was June 12, 2008, and this was extended to June 26th.
2. Appellee requests that the deadline for its brief be extended to June 30<sup>th</sup>.
3. Appellant requests that the deadline for its reply brief be July 17th. Counsel for Appellant will be on vacation from June 30th to July 6th.
4. Both parties consent to the respective requests.

Respectfully submitted,

  
David Wander

cc: Anthony Casey, Esq. (by email)

SO ORDERED

  
Deborah A. Batts

DEBORAH A. BATTIS  
UNITED STATES DISTRICT JUDGE

30 Jun 08